

**BRAIN INJURY  
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January 29, 2024

**VIA ECF**

Hon. Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

USDC SDNY  
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**MEMO ENDORSED**

**Re: *Fiallos et al. v. Banks et al.*, 23-cv-09824 (VEC)**

Dear Judge Caproni:

Your the undersigned represents the Plaintiffs in the above-referenced matter. On January 5, 2024, Defendants filed their Motion to Dismiss Plaintiff's Amended Complaint [ECF Nos. 24-26]. On January 26, 2024, Plaintiff filed their Opposition to Defendant's Motion to Dismiss [ECF Nos. 30-31]. Due to a mistake of the undersigned, the document attached to the Declaration of Ataur Raquib [ECF No. 30] as Exhibit #1 was not marked or redacted to protect the name and identity of Student L.V., a minor.

The undersigned now submits this letter, respectfully requesting Your Honor to strike [ECF No. 30] from the docket and allow the undersigned to refile their Declaration with Exhibit #1 marked or redacted to protect the name and identity of Student L.V., or in the alternative, seal attached Exhibit #1 to [ECF No. 30], together with such other relief as this Court should deem just and proper.

The Plaintiffs thank the Court for its consideration in this matter.

Respectfully submitted,

**Ataur Raquib, Esq.**

Ataur Raquib (5860523)

Cc: All Counsel of Record via ECF.

Application GRANTED. The filing at Dkt. 30 will be placed under seal. By not later than **9:00 A.M. on Tuesday, January 30, 2024**, Plaintiff must re-file the Declaration with the Student's name and any other identifying information redacted.

The Clerk of Court is respectfully directed to terminate the open motion at Dkt. 32 and to seal the Declaration and attached exhibit at Dkt. 30 by restricting access to it to the Court and the parties.

SO ORDERED.



1/29/2024

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE